



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on October 21, 2003

Wendy Dial

(Typed or Printed Name of Person Mailing Paper or Fee)

Wendy Dial

(Signature of Person Mailing Paper or Fee)

**Attorney Docket No.: APL-P3152**

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

**Inventor:** Stuart D. Cheshire  
**Title:** METHOD AND APPARATUS FOR IMPLEMENTING A SLEEP PROXY FOR SERVICES ON A NETWORK  
**Filing Date:** September 30, 2003  
**Serial Number:** 10/676,573  
**Group Art Unit:** To Be Assigned  
**Examiner:** To Be Assigned

Listed below or on an attached Form PTO-1449 is information known to applicant(s) and submitted pursuant to 37 C.F.R. §1.56. A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

X This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- X (1) It is being filed within 3 months of the application filing date  
-- OR --  
— (2) It is being filed within 3 months of entry of a national stage  
-- OR --  
X (3) It is being filed before the mail date of the first Office Action on the merits.

— 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

— a certification as specified in §1.97(e) is provided below; or

— a fee of \$240.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement. Please note that a check in the amount of \$240.00 is enclosed in payment.

— 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and

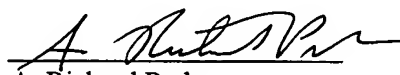
C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

— Statement under 37 C.F.R. §1.97(e) - I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in section 1.56(c) more than three months prior to the filing of the information disclosure statement.

Signature: \_\_\_\_\_  
A. Richard Park (Reg. No. 41,241)

Date

Respectfully submitted,

By:   
A. Richard Park  
Reg. No. 41,241

PARK, VAUGHAN & FLEMING LLP  
508 Second Street, Suite 201  
Davis, CA 95616  
(530) 759-1661

Date: October 21, 2003



SHEET 1 OF 1

<b>INFORMATION DISCLOSURE CITATION</b>  PTO-1449				ATTY. DOCKET NO. APL-P3152		APPLICATION NO. 10/676,573	
				APPLICANT Stuart D. Cheshire			
				FILING DATE September 30, 2003		GROUP ART UNIT To Be Assigned	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	5,745,699	Apr. 28, 1998	Lynn et al.	395	200	10/18/96	
	4,661,902	Apr. 28, 1987	Hochsprung et al	364	200	3/21/85	
	5,884,322	Mar. 16, 1999	Sidhu et al.	707	200	7/26/96	
	5,388,213	Feb. 7, 1995	Oppenheimer et al	395	200	10/29/93	
	5,282,270	Jan. 25, 1994	Oppenheimer et al	395	200	6/6/90	
	5,150,464	Sept. 22, 1992	Sidhu et al.	395	200	6/6/90	
	4,689,786	Aug. 25, 1987	Sidhu et al.	370	94	3/21/85	
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
EXAMINER				DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.